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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/507,538	09/13/2004	Holger Kunkat	AT02 0012 US	1391

65913 7590 07/02/2008  
NXP, B.V.  
NXP INTELLECTUAL PROPERTY DEPARTMENT  
M/S41-SJ  
1109 MCKAY DRIVE  
SAN JOSE, CA 95131

EXAMINER
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SYED, NABIL H

ART UNIT	PAPER NUMBER
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2612

NOTIFICATION DATE	DELIVERY MODE
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07/02/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/507,538	<b>Applicant(s)</b> KUNKAT ET AL.	
	<b>Examiner</b> NABIL H. SYED	<b>Art Unit</b> 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 September 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. The following is a final office action on merits. Amendments received on 3/18/08 have been entered. Claims 1-9 and 11-20 are pending.

### **Drawings**

2. The drawings are objected to because conventional features illustrated in the drawing as rectangular boxes need to be labeled for understanding in this application. See 37 CFR 1.83(a). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

PCT rule 11.11 states "... in the case of electrical circuits or block schematic or flow sheet diagrams, a few short catchwords indispensable for understanding" are required.

Labels are required on the boxes since they make the drawings and the claim language easier to, read and understand the applicant's invention.

### **Claim Rejections - 35 USC § 103**

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Strong et al. (US 2003/0007473) in view of Bonneau et al. (6,577,229).

4. Referring to claims 1, 5, 9, 14 and 19, Strong teaches a system, as shown in Fig. 2, comprising a local positioning system (LPS), which includes a plurality of interrogators 6 (i.e., communication stations) coupled to a plurality of antennas 5 that communicate with each other and with tags 2 (i.e., transponders) (see Sections [0045]-[0046], and [0054]-[0055]). Per Strong, interrogator 6 communicates with tags 2 using spread-spectrum (i.e., an interrogator-tag protocol) (see Section [0096]); thus interrogator 6 must include a first protocol-executing means. Strong further teaches that interrogators 6 are directly connected to an Ethernet local area network (LAN) and communicate with each other over the LAN using the Ethernet protocol (i.e., an

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interrogator-interrogator protocol) (see Sections [0047] and [0054]-[0055]); thus interrogator 6 must also include a second protocol-executing means. Though not expressly taught, Strong's interrogator 6 must have an integrated circuit and comprising at least (1) a radio frequency (RF) transmitter and receiver (or an RF transceiver) and a microprocessor that form a first protocol-executing means in order to communicate with tags 2 via spread-spectrum and (2) an Ethernet interface (i.e., a second protocol-executing means) in order to communicate with other interrogators 6 via the LAN. Strong further discloses that the interrogator communicate with other interrogators and tag wirelessly (via interrogator A communicating wirelessly with interrogator B and a tag; see fig. 7)

Even though The Examiner believes that Strong teaches that a reader communication unit is able to communicate with a tag unit and further communicate with another reader unit (via 802.11b access point 3 communicating with tag 2 and another 802.11b mobile device; see fig. 2) using a processor MAC and Strong further discloses that the elements of the reader communication unit 3 can be duplicated via making a separate receiving unit for tag protocol (see paragraph [0141]). Even though the description is not fully explained but one of ordinary skill in the art would be able to realize that Strong does include first signal processing means and second signal processing means.

In order to further support the Examiners point of view, Bonneau discloses a communication station (via smart card communication device (SCCD) 104); see fig. 2; also see col. 67, lines 50-67) comprising a RF circuit 214, DSP 210 and DSP EEPROM

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30. Bonneau discloses that RF circuit 214 and DSP 210 perform modulation and demodulation using the International Organization for Standardization (ISO) Type A smart card communication protocol (i.e., at least one transmission parameter) or the ISO Type B smart card communication protocol (i.e., at least one other transmission parameter) to enable communication between SCCD 104 and a Type A or B smart card 106 (see Col. 2, lines 17-37; Col. 7, lines 1-13; Col. 9, lines 39-45; Col. 10, lines 14-23 and 25-38; Col. 12, lines 51-67; Col. 13, lines 1-22, 36-38, and 46-67; and Col. 14, lines 1-57); thus Bonneau's RF circuit 214 and DSP 210 form (a) a first signal-processing means that processes signals and enables signals to be processed when SCCS 104 communicates with a device having one type of protocol (b) a second signal-processing means that processes other signals and enables other signals to be processed using at least one other transmission parameter when SCCS 104 communicates with a other device having a different communication protocol. Bonneau discloses a transmission means connected to the first and second signal processing means to transmit and receive signals from different devices having different protocols (via antenna assembly 216; see fig. 2). Bonneau further discloses that the Type B smart card communication protocol, uses a Non-Return-to Zero modulation with a subcarrier at 847.5 kHz, hence it would have been obvious to one of ordinary skill to use Non-return to Zero technique to code and decode signals for station-station communication since the NRZ code requires only half the bandwidth required by the Manchester code.

From the teaching of Bonneau it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the interrogator of Strong to

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include two signal processing means to process the signals received from first protocol executing means and second protocol executing means as taught by Bonneau in order to improve the interrogators so they can communicate with devices having different communication protocols through a single port (see col. 4, lines 37-39 and col. 2, lines 65-67).

Regarding claims 2, 6, 12, 13, 16 and 17, Strong teaches that interrogator 6 generates a 2.4 GHz field (i.e., an energy-supply signal) to power tags 2 over the air each time the interrogation starts (i.e., the interrogator-tag protocol begins) (see Sections [0096]-[0097]). Strong also teaches that interrogators 6 communicate with each other over an Ethernet LAN (see Section [0047]). Though Strong fails to expressly teach that interrogator 6's second protocol-executing means having a synchronizing signal generating means generating a synchronizing signal each time the interrogator-interrogator protocol starts, a message or frame generated by interrogator 6 includes an eight-byte preamble that enables a receiving interrogator 6 to lock onto the transmitting interrogator 6's timing on a frame-by-frame basis; thus the preamble functions as a synchronization signal, and interrogator 6's second protocol-executing means must have a synchronizing signal generating means. Though not expressly taught, Strong's interrogator 6 must have an integrated circuit and comprising at least (1) a radio frequency (RF) transmitter and receiver (or an RF transceiver) and a microprocessor that form a first protocol-executing means in order to communicate with tags 2 via spread-spectrum and (2) an Ethernet interface (i.e., a second protocol-executing means) in order to communicate with other interrogators 6 via the LAN.

Regarding claims 3 and 7, because Ethernet devices only transmit when there is information to be transferred instead of transmitting continuously, as required by some network protocols, Strong's interrogators 6 conserve power by transmitting to other interrogators 6 only when necessary.

Regarding claims 4 and 8, Strong teaches that interrogator 6's first protocol-executing means handles a interrogator-tag protocol that communicates with a plurality of tags 2 (see Fig. 2 and Sections [0045] and [0055]-[0056]). In addition, Strong teaches that a master interrogator 6 sends a "turn on" command to a slave interrogator 6 seven milliseconds early (i.e., as early as possible) to compensate for a seven-millisecond delay between the master and slave interrogators 6 (see Section [0055]).

Regarding claims 11 and 15, Strong teaches that the LPS tags are considered RFID tags (see section [41], lines 19-20).

5. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Strong et al. (US 2003/0007473) in view of Bonneau et al. (6,577,229) and further in view of Balasubramanian et al. (5,610,947).

As of claim 18, the combination of Strong and Bonneau discloses all the limitations of the claimed invention as mentioned in claim 1 above but fails to explicitly disclose a processing means configured to code and decode the signals using the FM zero code.

Balasubramanian discloses a processor (via a FM/Flash MODEM; see fig. 2 and 3) which modulates and demodulate (encoding and decoding) the data using the FM zero coding (see fig. 1; also see col. 3, lines 54-60; also see col. 5, lines 30-37).



From the teaching of Balasubramanian it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combination of Strong and Bonneau to use the FM zero coding as taught by Balasubramanian since different encoding and decoding techniques such as NRZ, FM zero, FM1, Manchester are used in communication systems and can be switched with each other based on the system requirement.

6. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Strong et al. (US 2003/0007473) in view of Bonneau et al. (6,577,229) and further in view of Kang (US Pub 2002/0024421).

As of claim 20, the combination of Strong and Bonneau discloses a system wherein multiple interrogators transmit signals to other interrogators and to multiple transponder using their antennas, but fails to explicitly disclose that the transmitting means includes a transmission coil to transmit and receive different signals.

Kang disclose a radio frequency system including a reader (communication station) to which includes and transmission means including a transmission coil (via antenna coil 160; see fig. 1) to transmit and receive different signals (see paragraph [0010]).

From the teaching of Kang it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combination of Strong and Bonneau to include a transmission coil in the transmitting means as taught by Kang since by adding additional conducting rods or coils and varying their length, spacing, and orientation, an antenna with specific desired properties can be created.

### **Response to Arguments**

7. Applicant's arguments filed 3/18/08 have been fully considered but they are not persuasive.

Applicant argues that the references of Strong and Bonneau fail to disclose "the second signal-processing means being configured to code and decode the signals using one of no-return-to-zero code and FM zero code for the contactless station-station communication." The Examiner respectfully disagrees. Bonneau discloses that the Type B smart card communication protocol, uses a Non-Return-to Zero modulation with a subcarrier at 847.5 kHz, hence it would have been obvious to one of ordinary skill to use Non-return to Zero technique to code and decode signals for station-station communication since the NRZ code requires only half the bandwidth required by the Manchester code. Since the claim recites alternative language, and requires one of a non-return-to-zero code and FM zero code, and Bonneau discloses a Non-return-to zero code, the Examiner maintains his rejection.

### **Conclusion**

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NABIL H. SYED whose telephone number is (571)270-3028. The examiner can normally be reached on M-F 7:30-5:00 alt Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Zimmerman can be reached on (571)272-3059. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner  
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N.S

/Brian A Zimmerman/  
Supervisory Patent Examiner, Art Unit 2612